

News and Information

from the Tennessee Division of Consumer Affairs

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STATE SETTLES WITH MEMPHIS EYE DOCTOR FOR ALLEGED MISLEADING VISION PROBLEM CURE CLAIMS

A Memphis eye doctor will as part of a settlement agreement pay Tennessee \$10,000 and stop alleged misleading advertising claims that a non-surgical eye care treatment could "cure" vision problems.

Tennessee, along with Arizona, Illinois, Texas and Missouri, will receive a total of \$40,000 as a result of the settlement agreement with Dr. J. Mason Hurt and the companies with which he did business: Mid-South PCM Group, P.C.; International Computerized Orthokeratology Society, Inc; and Eye and Vision Clinic, P.C.

Dr. Hurt developed a treatment for nearsightedness, farsightedness and astigmatism called "precise corneal molding." The treatment required the patient to wear specially designed contact lens molds, which purportedly re-shaped the cornea over time. The Memphis doctor marketed the procedure and held training seminars about the procedure for doctors throughout the country. The Federal Trade Commission and several other states got involved when the FTC discovered Dr. Hurt's ads, which claimed the patient would never have to wear glasses or contacts again after wearing the special lens.

The treatment known as "PCM ortho-k" is an eye care service that purports to eliminate dependence on eyeglasses and contact lenses. It is marketed as a non-surgical alternative to surgical eye procedures such as laser PRK (photo refractive keratectomy) and RK (radial keratotomy).

"We are pleased with this settlement and appreciate the defendants' cooperation," said Tennessee Attorney General John Knox Walkup. "The best advice for consumers who want to try a new procedure such as this is to ask questions. Ask whether the procedure has been approved by the Food and Drug Administration. And, don't be afraid to ask for references of people who have been treated for the procedure in which you are interested. It may be awkward, but those answers are necessary for consumers to make an informed decision."

In addition to paying the states for civil penalties, costs associated with the investigation and attorneys' fees, Dr. Hurt has agreed to provide restitution to consumers who request a refund within 90 days. Anyone who wishes to request a refund should contact the Tennessee Division of Consumer Affairs at 500 James Robertson Parkway, Fifth Floor, Nashville, TN 37243-0600, Ortho-K Settlement.